



Attorney Docket No. 55562 (71526)

1646

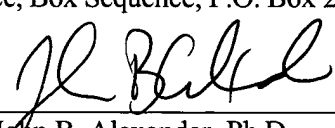
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: H. Endou et al.  
Application No.: 09/786,389                      Group No.: 1646  
Filed: September 3, 2001                      Examiner: M. D. Pak  
For: NEUTRAL AMINO ACID TRANSPORTER AND GENE THEREOF

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**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202 on October 9, 2003.

By:   
John B. Alexander, Ph.D.

**RESPONSE TO OFFICE COMMUNICATION**

Sir:

The following is in response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed on June 13, 2003, in the above referenced application.

Enclosed herewith for filing in the subject application are the following:

1. A copy of the Notification of Defective Response.
2. Submission of "Sequence Listing," Computer Readable Copy, and/or Amendment Pertaining Thereto for Biotechnology Invention Containing Nucleotide and/or Amino Acid Sequence and Statement that "Sequence Listing" and Computer Readable Copy are the Same and/or that Papers Submitted Includes No New Matter;
3. A substitute computer readable form copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written sequence listing; and
4. A paper copy of the "Sequence Listing".

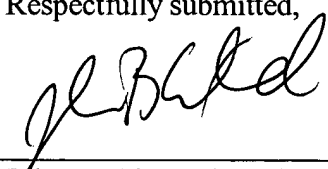
Applicant believes that additional fees are not required, however, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby

authorized and requested to charge Deposit Account No. **04-1105**. In particular, the Commissioner is hereby authorized to charge any deficiencies in the following fees: filing fees (37 C.F.R. §1.16(a), (f) or (g)); fees associated with the presentation of extra claims (37 C.F.R. §1.16(b), (c) and (d)); surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application (37 C.F.R. §1.16(e)); extension fees pursuant to § 1.136(a) (37 C.F.R. §1.17(a)(1)-(5)); and application processing fees (37 C.F.R. §1.17).

Applicant further believes that the prior response to the Notice of Incomplete Response was clearly a *bona fide* response and, as such, no additional fees are required at this time. In any event, Applicant requests and if necessary petitions that the application be confirmed to be now pending and filing requirements completed. Any fees for such a petition should be charged to deposit account 04-1105.

Respectfully submitted,

Date: October 9, 2003

By:   
John B. Alexander, Ph. D.  
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Intellectual Property Practice Group  
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**SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,  
AND/OR AMENDMENT PERTAINING THERETO  
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE  
AND/OR AMINO ACID SEQUENCE**

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**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***  
*(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)*

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**37 C.F.R. SECTION 1.10\***

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**Signature**

Date: October 9, 2003

John B. Alexander, Ph.D.  
(type or print name of person certifying)

**\*WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).  
"Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

*(check and complete this item, if applicable)*

1. ☒ This replies to the Office Letter DATED October 2, 2003.

*NOTE: If these papers are filed before the office letter issues, adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the application number from the return post card or the attorney's docket number added.*

☒ A copy of the Office Letter is enclosed.

#### IDENTIFICATION OF PERSON MAKING STATEMENT

2. I, John B. Alexander, Ph.D.  
*(type or print name of person signing below)*

state the following:

#### ITEMS BEING SUBMITTED

3. Submitted herewith is/are:

*(check each item as applicable)*

- A. ☒ "Sequence Listing(s)" for the nucleotide and/or amino acid sequence(s) in this application. Each "Sequence Listing" is assigned a separate identifier as required in 37 C.F.R. Section 1.821(c) and 37 C.F.R. Sections 1.822 and 1.823.
- B. ☒ An amendment to the description and/or claims, wherein reference is made to the sequence by use of the assigned identifier, as required in 37 C.F.R. Section 1.821(d).
- C. ☒ A copy of each "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 C.F.R. Sections 1.821(e) and 1.824.
- D. ☐ Please transfer to this application, in accordance with 37 C.F.R. Section 1.821(e), the computer readable copy(ies) from applicant's other application identified as follows:

In re application of:

Application No.:

Filed:

For:

Group No.:

Examiner:

The Computer readable form(s) of applicant's other application corresponds to the "Sequence Identifier(s)" of the application as follows: